

Zoning Text Amendment No: 05-06
Concerning: Building Materials & Supplies
in the R&D Zone
Draft No. & Date: 3- 03/15/05
Introduced: April 5, 2005
Public Hearing: May 10, 2005; 1:30 PM
Adopted:
Effective:
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: District Council at the request of the Planning Board

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- allowing a building materials and supplies store as a permitted use in the Research and Development (R&D) zone under certain circumstances, and
- requiring site plan review for standard method development in the R&D zone, after a certain date.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-C-5 “INDUSTRIAL ZONES”
Section 59-C-5.2 “Land uses”
Section 59-C-5.45 “Special regulations-R&D zone.”
ARTICLE 59-D “ZONING DISTRICTS—APPROVAL PROCEDURES “

EXPLANATION: ***Boldface** indicates a heading or a defined term.*
Underlining indicates text that is added to existing laws by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. Division 59-C-5 is amended as follows:**

2 **DIVISION 59-C-5 INDUSTRIAL ZONES.**

3 * * *

4 **59-C-5.2. Land uses.**

5 * * *

	I-1	I-2	I-3	I-4	R&D	LSC
(d) Commercial.						
* * *						
Building material[s] and [supplies] <u>supply</u> , wholesale and retail. ²⁰	P	P		P	<u>P*</u>	

6
7 * Only if a building permit was issued before the property was classified to the
8 R&D zone. Any building material and supply use for which a building
9 permit was issued before the property was classified to the R&D zone is a
10 conforming use and may be modified, reconstructed, or enlarged in
11 accordance with the standards of the zone in effect for a the property before
12 the property was reclassified to the R&D zone.

13 * * *

14 **59-C-5.45. Special regulations-R&D zone.**

15 * * *

16 (b) **Standard method of -Development.** Under the standard method of
17 development a site plan must be filed the Planning Board under 59-D-3.

18 ([b]c) **Optional method of development.** In order to encourage the orderly
19 grouping and planned development of research and development projects at
20 higher densities than permitted under the standard method of development,
21 [the following] an optional method of development project may be
22 [permitted, provided] approved, if: (1) [it] the project is not inconsistent with

25 the applicable approved and adopted master plan; and (2) [provided that] the
 26 requirements for site plan approval [contained in division] under Division
 27 59-D-3 are met. If the optional method of development is used, all the
 28 [normal] standard requirements of the R&D zone will be in effect, except as
 29 follows:

30 * * *

31 **Sec. 2. Article 59-D is amended as follows:**

32 **ARTICLE 59-D. ZONING DISTRICTS—APPROVAL
33 PROCEDURES.**

34 **INTRODUCTION**

35
 36 * * *

37 The following table is provided for the convenience of the public, citing the
 38 appropriate sections of Article 59-C and indicating the type of plans required
 39 in each zone. In the event of any conflict between this table and the
 40 provisions of Article 59-C, the latter must govern.

41

42 **Plan Approvals Required**

Zone	Section Number	Development Plan (Division 59-D-1)	Project Plan Optional Method (Division 59-D-2)	Site Plan (Division 59-D-3)	Diagrammatic Plan (Division 59-D-4)
* * *					
R&D				[O] X	
* * *					

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44 **Sec. 3. Effective date.** This ordinance becomes effective 20 days after the
45 date of Council adoption.

46

47 This is a correct copy of Council action.

48

49

50

51 Elda M. Dodson, CMC

52 Acting Clerk of the Council